

A RESOLUTION authorizing the City of Fort Wayne, by its Board of Public Works and Safety, to enter into an Interlocal Agreement for funding of a sanitary sewer service extension for the Power Wheels project.

WHEREAS, the City of Fort Wayne, Indiana, seeks to assist the expansion of business and industry within the City; and

WHEREAS, Power Wheels, A Division of Kransco, has committed to purchase the building located at 3405 Meyer Road, in order to consolidate and expand its manufacturing operations; and

WHEREAS, in order for this project to go forward as planned, sanitary sewer service is needed at this site; and

WHEREAS, Power Wheels estimates its total investment in this project to be in excess of \$15,000,000, and proposes to create at least 190 new jobs over the next three years -- 79% of which are projected to be filled by low and moderate income persons, and 36% of which are projected to be filled by minorities; and

WHEREAS, the U.S. Department of Housing and Urban Development has awarded the City of Fort Wayne a grant of \$735,735 to assist with the Power Wheels expansion; and

WHEREAS, the State of Indiana, through its Department of Commerce, has committed up to \$150,000 to assist in financing the cost of constructing the sanitary sewer line to service the Power Wheels site; and

WHEREAS, in accordance with the prescribed procurement procedures, the City of Fort Wayne, by and through its Board of Public Works and Safety, will be responsible for preparing the bid specifications, selecting the contractor(s), preparing all contract documents, final inspections, and acceptance of the completed project.

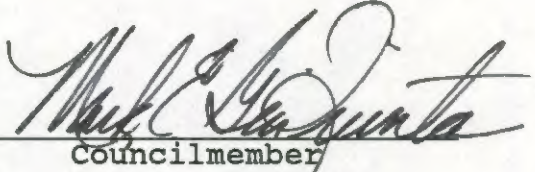


PAGE TWO


NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF  
THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Interlocal Cooperation Agreement by and  
between the County of Allen, Indiana, through its Board of  
Commissioners, and the City of Fort Wayne, Indiana, through  
its Board of Public Works and Safety, which Agreement is  
attached hereto and made a part hereof as "Exhibit A," is  
hereby approved in all respects, and the prior execution of  
said Agreement by the Board of Public Works and Safety is  
hereby ratified and approved.

SECTION 2. This Resolution shall be in full force and  
effect from and after its passage, and any and all necessary  
approval by the Mayor.

  
Councilmember

APPROVED AS TO FORM  
AND LEGALITY

  
J. Timothy McCaulay, City Attorney



## INTERLOCAL COOPERATION AGREEMENT

THIS AGREEMENT, made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 1989, by and between the BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEN (hereinafter referred to as the "Board"), and the CITY OF FORT WAYNE BY AND THROUGH ITS BOARD OF PUBLIC WORKS AND SAFETY (hereinafter referred to as the "City").

## WITNESSETH:

WHEREAS, the purpose of this agreement is to facilitate the flow of funds to the City from the Board, said funds provided to the Board by the Indiana Department of Commerce Industrial Development Infrastructure Program; and,

WHEREAS, Power Wheels is seeking to expand its operation at a site outside the city limits of Fort Wayne in Allen County; and,

WHEREAS, the estimated cost of extending sanitary sewer service to the Power Wheels site is estimated to be between \$140,000 and \$150,000; and,

WHEREAS, the Indiana Department of Commerce has offered financial assistance in an amount not to exceed \$150,000 to the Board for the purpose of extending sanitary sewer facilities to the Power Wheels site which the Board has agreed, to the extent of said grant, to provide to the City; and,

WHEREAS, the financial assistance offered by the Indiana Department of Commerce is conditioned on the City of Fort Wayne providing \$53,000 toward the cost of the project; and,

WHEREAS, the remainder, if any, of the cost of extending sanitary sewer facilities to the Power Wheels site will be paid by the City; and,

WHEREAS, the City will be responsible for selecting the contractor(s) for the construction, construction engineering, and inspection of said project in accordance with I.C. 36-1-12-1 et seq., and the applicable federal regulations as set forth in the Indiana Department of Commerce Grantee Implementation Manual.

NOW, THEREFORE, it is agreed as follows:

1. The Board agrees to the extent of the funds provided by the Indiana Department of Commerce to pay claims submitted by the City for the above-referenced project, in a timely manner. Said claims shall be verified and based upon actual contractors expenses incurred.

2. Attached hereto and made a part hereof is a copy of the Grant Agreement entered into between the Board and the State of Indiana. The City agrees to comply with all terms and conditions of said Grant Agreement, as if it were the Board.

3. The City further agrees to hold harmless the County from and against any and all claims, demands or losses, and liabilities arising out of any act or omission in violation of said Agreement, or the Project.

4. Upon completion of the project, an independent C.P.A. firm or the State Board of Accounts will be hired to audit the financial records of the grant as required by the State and the City shall furnish any and all financial records and data relating to the project required by said audit firm.

5. This Agreement shall be construed in accordance with I.C. 36-1-7 et seq. and the effectiveness is subject to all legal and necessary approvals as follows:



A. Approval of the fiscal bodies, by ordinance or by resolution, of the , Indiana (its City Council) and Allen County, Indiana (its County Council) pursuant to I.C. 36-1-7 et seq.

B. Recordation of this Agreement with the Allen County Recorder; and,

C. Within sixty (60) days from the effective date of this Agreement, a copy of same shall be filed with the State Board of Accounts for audit purposes.

6. This Agreement and responsibilities hereunder, shall terminate upon the close-out of the state grant. Said close-out shall include the resolution of all audit findings if any shall exist.

IN WITNESS WHEREOF, this Agreement has been signed by the parties on the dates below indicated.

CITY OF FORT WAYNE, INDIANA  
BY AND THROUGH ITS BOARD OF  
PUBLIC WORKS AND SAFETY

By: \_\_\_\_\_  
Angela S. Derheimer, Director

By: \_\_\_\_\_  
Daniel Heath, Member

By: \_\_\_\_\_  
C. David Silletto, Member

Dated: \_\_\_\_\_  
ATTEST: \_\_\_\_\_

By: \_\_\_\_\_  
Sandra Kennedy, City Clerk

BOARD OF COMMISSIONERS OF THE  
COUNTY OF ALLEN, INDIANA

By: \_\_\_\_\_  
Donald J. Yoder, President

By: \_\_\_\_\_  
Jack R. Worthman

By: \_\_\_\_\_  
Edwin J. Rousseau

Dated: \_\_\_\_\_  
ATTEST: \_\_\_\_\_

By: \_\_\_\_\_  
Linda K. Bloom, Auditor



A RESOLUTION authorizing the City of Fort Wayne, by its Board of Public Works and Safety, to enter into an Interlocal Agreement for funding of a sanitary sewer service extension for the Power Wheels project.

DRAFT

WHEREAS, the City of Fort Wayne, Indiana, seeks to assist the expansion of business and industry within the City; and

WHEREAS, Power Wheels, A Division of Kransco, has committed to purchase the building located at 3405 Meyer Road, in order to consolidate and expand its manufacturing operations; and

WHEREAS, in order for this project to go forward as planned, sanitary sewer service is needed at this site; and

WHEREAS, Power Wheels estimates its total investment in this project to be in excess of \$15,000,000, and proposes to create at least 190 new jobs over the next three years -- 79% of which are projected to be filled by low and moderate income persons, and 36% of which are projected to be filled by minorities; and

WHEREAS, said sewer extension will also provide for the \$1,750,000 expansion of Bentz Metal Products Company, Inc., resulting in 100 additional new jobs over the next three years, with the same low/moderate income and minority hiring targets as above described; and

WHEREAS, the U. S. Department of Housing and Urban Development has awarded the City of Fort Wayne a grant of \$735,735 to assist with the Power Wheels expansion; and

WHEREAS, the State of Indiana, through its Department of Commerce, has committed up to \$150,000 to assist in financing the cost of constructing the sanitary sewer line to service the Power Wheels site; and

WHEREAS, in accordance with the prescribed procurement procedures, the City of Fort Wayne, by and through its Board of Public Works and Safety, will be responsible for preparing the bid specifications, selecting the contractor(s), preparing all contract documents, final inspections, and acceptance of the completed project.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION ONE. The Interlocal Cooperation Agreement by and between the County of Allen, Indiana, through its Board



of Commissioners, and the City of Fort Wayne, Indiana, through its Board of Public Works and Safety, which Agreement is attached hereto and made a part hereof as "Exhibit A", is hereby approved in all respects, and the prior execution of said Agreement by the Board of Public Works and Safety is hereby ratified and approved.

SECTION TWO. This Resolution shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

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Councilmember

APPROVED AS TO FORM  
AND LEGALITY

---

J. Timothy McCaulay, City Attorney



Read the first time in full and on motion by Aia Junta, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_, day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 2-14-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Aia Junta, seconded by Stier, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>			
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>GIAQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>STIER</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 2-28-89

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. R-09-89 on the 28th day of February, 1989,

Sandra E. Kennedy ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Charles S. Reed  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 1st day of March, 1989, at the hour of 1:30 o'clock \_\_\_\_\_ M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 7th day of March, 1989, at the hour of 9:25 o'clock P M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



BILL NO. R-89-02-12

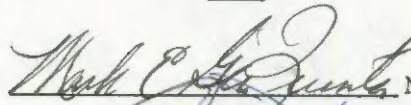
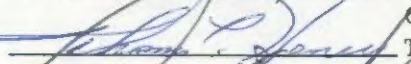

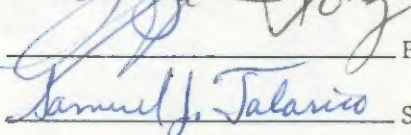
REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS  
REFERRED AN (~~ORDINANCE~~) (RESOLUTION) authorizing the  
City of Fort Wayne, by its Board of Public Works and Safety,  
to enter into an Interlocal Agreement for funding of a  
sanitary sewer service extension for the Power Wheels project

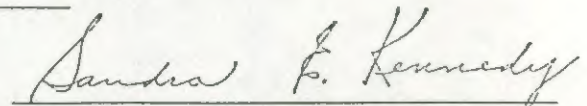
HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(~~ORDINANCE~~) (RESOLUTION) \_\_\_\_\_

YES

NO

	MARK E. GIAQUINTA	_____
	CHAIRMAN	_____
	THOMAS C. HENRY	_____
	VICE CHAIRMAN	_____
	DAVID C. LONG	_____
	PAUL M. BURNS	_____
	SAMUEL J. TALARICO	_____

CONCURRED IN 2-28-85.

  
Sandra E. Kennedy  
City Clerk